

22. (AS THREE TIMES AMENDED) A method of obtaining information associated with playback of recordings containing segments at a first device connectable to a second device via a network, comprising:

identifying at least one segment of a recording, fixed in a medium possessed by a user, based on information obtained from contents of the recording used for playback to the user;

collecting, at the first device, use data associated with the recording, the use data including segment data identifying the at least one segment played at the first device; and transferring the use data from the first device to the second device via the

network.

41. (AS THREE TIMES AMENDED) A system for obtaining information based on playback of at least one recording at a first device connected to a second device via a network, comprising:

identification means for identifying a recording based on information obtained from contents of the recording used for playback to a user;

collection means for collecting use data related to at least one of a portion of a recording fixed in a medium possessed by the user, and play time of the recording;

connection means for establishing a connection between the first and second devices;

transmission means for sending the use data from the first device to the second device via the network; and

storage means for storing the use data at the second device.

43. (AS TWICE AMENDED) A computer-readable storage storing instructions to control a processor to perform a process comprising:

collecting, at a first device, use data associated with playback of a recording, fixed in a medium possessed by a user and identified by information obtained from contents of the recording used for playback to the user; and

transferring the use data from the first device to a second device connected to the first device via a network.

62. (AS TWICE AMENDED) A system for transferring information associated with playback of a recording, comprising:

a first device to reproduce a recording fixed in a medium possessed by a user, to identify the recording from information obtained from contents of the recording used for

5 playback to the user and to collect use data associated with the recording;

a second device to store the use data; and

a network coupled to said first and second devices to transfer the use data from said first device to said second device.

81. (AS ONCE AMENDED) A method as recited in claim 22,

wherein said collecting is performed regardless of whether the first and second devices are connected,

wherein said process further includes establishing a connection between the first and second devices, and

wherein said transferring transfers all of the use data collected while the first and second devices were not connected, from the first device to the second device via the network after the first and second devices are connected.

Please ADD the following new claims:

93. (NEW) A method of obtaining information associated with playback of recordings at a first device connectable to a second device via a network, comprising:

collecting, at the first device, use data associated with a recording identified by information obtained from contents of the recording used for playback to a user; and

5 transferring the use data from the first device to the second device via the network.

94. (NEW) A method of obtaining information associated with playback of recordings containing segments at a first device connectable to a second device via a network, comprising:

identifying at least one segment of a recording, based on information obtained from contents of the recording used for playback to a user;

5 collecting, at the first device, use data associated with the at least one segment of the recording, the use data including segment data identifying the at least one segment played at the first device; and

transferring the use data from the first device to the second device via the network.

95. (NEW) A system for obtaining information based on playback of at least one recording at a first device connected to a second device via a network, comprising:

identification means for identifying a recording based on information obtained from contents of the recording used for playback to a user;

5 collection means for collecting use data related to at least one of a portion of a recording fixed in a medium possessed by the user, and play time of the recording;

connection means for establishing a connection between the first and second devices;

transmission means for sending the use data from the first device to the second  
10 device via the network; and

storage means for storing the use data at the second device.

96. (NEW) A computer-readable storage storing instructions to control a processor to perform a process comprising:

collecting, at a first device, use data associated with playback of a recording identified by information obtained from contents of the recording used for playback to a user;

5 and

transferring the use data from the first device to a second device connected to the first device via a network.

97. (NEW) A system for transferring information associated with playback of a recording, comprising:

5 a first device to reproduce a recording, to identify the recording from information obtained from contents of the recording used for playback to a user and to collect use data associated with the recording;

a second device to store the use data; and

a network coupled to said first and second devices to transfer the use data from said first device to said second device.

### REMARKS

In the October 20, 2000 Office Action, the Examiner noted that claims 2-92 were pending in the application; rejected claims 2, 3, 22, 40, 41, 43, 62, 71, 76, 77, 81 and 82 under 35 U.S.C. § 102(b); rejected claims 4-21, 23-28, 31-39, 42, 44-61, 63, 65-70, 72, 74, 78, 80 and 83-92 under 35 U.S.C. § 103; and objected to claims 29, 30, 64, 73, 75 and 79 as dependent from rejected base claims. In rejecting the claims, U.S. Patents 4,599,644 to Fischer (Reference B in the October 20, 2000 Office Action); 5,963,916 to Kaplan and 5,710,884 to Dedrick (References A and C, respectively, in the December 13, 1999 Office Action) were cited. Claims 2-92 remain in the case. The Examiner's rejections are traversed below.

#### Newly Cited Prior Art

##### U.S. Patent 4,599,644 to Fischer

The Fischer patent is directed to a system and method for identifying broadcast signal selection, even if the signal is recorded prior to playback. In the embodiment illustrated in Fig. 2, a data injector 5 receives a broadcast TV signal via antenna 1 and adds "an identification of the selected channel, the address of the location equipped with television set 3 and ... the number and personalia of viewers currently observing the TV-program" (col. 4, lines 43-48) plus "timing signals from a clock" (col. 4, lines 56-57). These added signals are displayed in "a small, unobtrusive area of" (col. 4, lines 2-3) TV screen 4 with a photosensor 9 closely